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## Unfair Cigarette Sales

## Tobacco taxes notice

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Public Chapter 768 amends the "Unfair Cigarette Sales Law" (Tenn. Code Ann. Section 47-25-301) by deleting the previous language in its entirety and replacing it with new language that applies only to retailers.

The new law eliminates references to wholesalers and wholesale sales and thereby limits the scope of the law to retailers. The department will no longer issue minimum price lists as these prices can no longer be calculated in advance by the department.

However, retail stores must continue to charge at least 8% above their cost from the wholesaler, and are subject to civil and criminal sanctions for failing to do so.

The new law also provides that participation in a manufacturer's incentive program, discount program or special price program does not cause a retailer to be in violation of the law.

The effective date of this amendment was April 16, 1998.

Have questions or comments? Please let us know. [Contact us.](#)

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